

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 69** HLS 16RS 204

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 16, 2016 6:57 AM	<b>Author:</b> BAGNERIS
<b>Dept./Agy.:</b> Department of Corrections	<b>Analyst:</b> Monique Appeaning
<b>Subject:</b> Illegally Purchasing or Selling a Firearm	

WEAPONS/FIREARMS

OR INCREASE GF EX See Note

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Creates the crime of illegally purchasing or selling a firearm

Proposed law creates a crime of illegally purchasing or selling a firearm which is the selling of a firearm by a licensed firearms dealer or accepting delivery of a firearm from a licensed firearms dealer without waiting a mandatory 10-day period (excluding weekends and legal holidays) from purchase to delivery of the firearm. Proposed law creates exceptions to the 10-day waiting period for law enforcement officers and concealed handgun permit holders. Proposed law provides penalties of a fine of not less than \$1,000 nor more than \$5,000 or imprisonment for not less than one year nor more than five years, or both.

<b>EXPENDITURES</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>						
<b>REVENUES</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

This legislation will result in an indeterminable increase in SGF expenditures if a defendant is convicted of illegally purchasing or selling a firearm. The minimum imprisonment term is one year, with or without hard labor. The maximum imprisonment term is 5 years, with or without hard labor.

SGF expenditures will increase by \$51.68 per offender per day if offenders are housed in state facilities and \$24.39 for state offenders housed in local facilities. Offenders sentenced to the custody of the Department of Public Safety and Corrections - Correction Services for one year would increase SGF expenditures by \$18,863 (\$51.68 per day x 365 days) if housed in a state facility and \$8,902 (\$24.39 per day x 365 days) if housed in a local facility. Approximately 50% of state offenders are housed in state facilities and approximately 50% of state offenders are housed in local facilities.

To the extent an offender serves the maximum of five (5) years, the cost in a state facility would be \$94,315 (1 offender x \$18,863 per year x 5 years) or \$41,045 (1 offender x \$8,902 per year x 5 years) if a state offender is housed in a local facility.

**REVENUE EXPLANATION**

The proposed legislation may result in an indeterminable increase in local funds revenue as result of potential fines. The fine imposed for illegally purchasing or selling a firearm has a minimum of \$1,000 and a maximum of \$5,000. The potential revenue will accrue to the local governing authority.

Senate Dual Referral Rules House

13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*

**Evan Brasseaux**  
**Staff Director**